

ATTORNEY DOCKET NO. 07038.0004U1  
APPLICATION NO. 10/070,574

### Listing of Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Previously presented) An isolated nucleic acid including the nucleotide sequence of SEQ ID No: 1.
2. (Currently Amended) A yeast expression system containing in operative junction the nucleotide sequence of SEQ ID No 1, nucleotides 1-1134 of SEQ ID NO: 1 or a part of nucleotides 1-1134 of SEQ ID NO: 1 that comprises nucleotides 572-1134 of SEQ ID NO: 1, which is active as a promoter, an insertion cloning site and the nucleotide sequence of SEQ ID No 2 or a part thereof of SEQ ID NO: 2 that comprises nucleotides 28-541 of SEQ ID NO: 2, which is active as a terminator.
3. (Currently Amended) A yeast expression and secretion system including in operative junction the nucleotide sequence of SEQ ID No 1, nucleotides 1-1134 of SEQ ID NO: 1 or a part of nucleotides 1-1134 of SEQ ID NO: 1 that comprises nucleotides 572-1134 of SEQ ID NO: 1, which is active as a promoter, the nucleotide sequence of SEQ ID No 3, an insertion cloning site and the nucleotide sequence of SEQ ID No 2 or a part thereof of SEQ ID NO: 2 that comprises nucleotides 28-541 of SEQ ID NO: 2, which is active as a terminator.
4. (Original) Plasmid pEPG1-1 containing a yeast expression cassette according to claim 2 deposited under the deposit number DSM 12919.
5. (Original) Plasmid pEPG1-2 containing a yeast expression cassette according to claim 2 deposited under the deposit number DSM 12922.
6. (Previously presented) Plasmid pUC19PG deposited under the deposit number DSM 12920.

7. (Original) Plasmid pEPG sec containing a yeast expression cassette according to claim 3 deposited under the deposit number DSM 12921.

8. (Currently Amended) An expression vector containing in operative junction a promoter with the sequence of SEQ ID No 1, the sequence of nucleotides 1-1134 of SEQ ID NO: 1 or a part of the sequence of nucleotides 1-1134 of SEQ ID NO: 1 that comprises nucleotides 572-1134 of SEQ ID NO: 1, which is active as a promoter, a polynucleotide which encodes a heterologous protein, and the nucleotide sequence of SEQ ID No 2 or a part thereof of SEQ ID NO: 2 that comprises nucleotides 28-541 of SEQ ID NO: 2, which is active as a terminator.

9. (Original) An expression vector according to claim 8 which in addition also includes a signal sequence between promoter and polynucleotide.

10. (Previously presented) An expression vector according to claim 9 characterized in that the signal sequence is a sequence in accordance with SEQ ID No 3.

11. (Previously presented) An expression vector according to one of claims 8 to 10 characterized in that the polynucleotide encodes an antigen protein or peptide.

12. (Previously presented) An expression vector according to claim 11 characterized in that the polynucleotide codes a hepatitis B surface antigen, VP1 from polyoma virus or protein A from Staphylococcus.

13. (Previously presented) An expression vector according to one of claims 8 to 12 characterized in that the vector is an integrative or episomal vector.

14. (Previously presented) An expression vector according to one of claims 8 to 12 characterized in that the vector is a plasmid replicatable in yeast.

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15. (Original) A host cell that has been transformed with an expression vector or a plasmid according to one of the preceding claims.
16. (Previously presented) A host cell according to claim 14 characterized in that it is a cell of the type *Kluyveromyces marxianus*.
17. (Previously presented) *E.coli* pEPG1-1 deposited under the deposit number DSM 12919.
18. (Previously presented) *E.coli* pUC19PG deposited under the deposit number DSM 12920.
19. (Previously presented) *E.coli* pEPG sec deposited under the deposit number DSM 12921.
20. (Previously presented) *E.coli* pEPG1-2 deposited under the deposit number DSM 12922.
21. (Previously presented) A method of manufacturing a recombinant protein, characterized in that a yeast cell is transfected or transformed with a plasmid which includes the expression cassette according to one of claims 2 and 3 and a polynucleotide which encodes a heterologous protein, the yeast cell is cultured under conditions which are suitable for the expression of the foreign protein, and the protein is produced.
22. (Previously presented) A method of manufacturing a recombinant protein characterized in that an expression cassette according to claim 2 or claim 3 is put into a yeast cell where the expression cassette is incorporated into a chromosome, the cell is cultured and then the protein is obtained.
23. (Canceled)